IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3333 OF 2004

Ramsubhash Sakkhu Yadav ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mrs.Sonia Miskin (appointed) for the applicant.

Mrs.U.V.Kejriwal, Addl.Public Prosecutor for the Respondent/State.

Coram : R.M.LODHA & R.S.MOHITE,JJ

Date : 16.02.2005.

PC

. Heard the learned Amicus Curiae appointed by the Court to represent the applicant.

2. The accusation against the applicant is that he committed rape on a minor girl aged about 6 years. The prosecution examined the victim as well as her mother. The medical evidence fully corroborates the case of the prosecution.

3. At this stage, therefore, it cannot be said that the accused/applicant has been convicted without any legal evidence.

4. The manner in which the crime was committed by the accused and that too on a minor girl of six years does not warrant us to exercise any discreation in favour of the accused.

5. No case for grant of bail is made out.

6. Criminal application is rejected.

(R.M.LODHA,J)

(R.S.MOHITE,J)